

**SMALL BUSINESS AND START-UP
LABOR & EMPLOYMENT ISSUES
PART II
Common Traps for the Unwary**

THE SEMINAR GROUP – LABOR & EMPLOYMENT LAW CONFERENCE

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WAGE & HOUR LAW



- Exemptions
- Overtime
- Comp Time
- Calculating Hours

HIRING INDEPENDENT CONTRACTORS



- Control, control, control
- Different tests for different laws
- Risks for non-compliance
- Increased Scrutiny

CONFIDENTIALITY/NON-DISCLOSURE AGREEMENTS



- Prohibit employees from disclosing the company's confidential information to others
- The employer can decide what is confidential
- Employer must take steps to restrict access to the confidential information



NON-COMPETE AGREEMENTS



- Only for employees who:
- Perform creative, administrative or managerial work;
- Salary exceeds median family income;
- Two weeks before hire; and
- Use non-solicitation instead



CREATIVE COMPENSATION FOR OWNERS & FOUNDERS



- Employee
- Advisor
- Profit Sharing
- Stock Options



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Thank You!



Davis Wright
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